



Entered on Docket
November 09, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

Annette W. Jarvis, Utah Bar No. 1649
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: ajarvis@rqn.com

and

Lenard E. Schwartz
Nevada Bar No. 0399
Jeanette E. McPherson
Nevada Bar No. 5423
Schwartz & McPherson Law Firm
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Telephone: (702) 228-7590
Facsimile: (702) 892-0122
E-Mail: bkfilings@s-mlaw.com
Attorneys for Debtors and Debtors-In-Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:	Case No. BK-S-06-10725 LBR
USA COMMERCIAL MORTGAGE COMPANY,	Case No. BK-S-06-10726 LBR
Debtor.	Case No. BK-S-06-10727 LBR

In re:	Case No. BK-S-06-10728 LBR
USA CAPITAL REALTY ADVISORS, LLC,	Case No. BK-S-06-10729 LBR
Debtor.	

In re:	Chapter 11
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	Jointly Administered Under
Debtor.	Case No. BK-S-06-10725 LBR

In re:	AMENDED STIPULATION AND
USA CAPITAL FIRST TRUST DEED FUND, LLC,	ORDER REGARDING EXTENSION
Debtor.	OF TIME TO ASSUME OR REJECT
In re:	LEASE WITH HASPINOV, LLC
USA SECURITIES, LLC,	(AFFECTS USA COMMERCIAL
Debtor.	MORTGAGE COMPANY)

1 Affects:

- 2 ☐ All Debtors
 3 ☒ USA Commercial Mortgage Company
 4 ☐ USA Securities, LLC
 5 ☐ USA Capital Realty Advisors, LLC
 6 ☐ USA Capital Diversified Trust Deed Fund, LLC
 7 ☐ USA First Trust Deed Fund, LLC

Date: N/A
 Time: N/A

8 USA Commercial Mortgage Company, Debtor and Debtor-In-Possession ("Debtor"), by
 9 and through its counsel, Jeanette E. McPherson, Esq., of Schwartzer & McPherson Law Firm, and
 10 Haspinov, LLC, by and through its counsel, Jeffrey R. Sylvester, Esq., hereby stipulate and agree
 11 as follows:

12 **WHEREAS** the Debtor filed its voluntary petition for relief under Chapter 11 of Title 11
 13 of the United States Bankruptcy Code on April 13, 2006 (the "Petition Date"), and the Debtor
 14 continues to operate its business and possess its property as a debtor-in-possession pursuant to
 15 Bankruptcy Code §§ 1107 and 1108.

16 **WHEREAS** the Debtor is a lessee under an "Office Lease" with Haspinov, LLC
 17 ("Haspinov") as the landlord (the "Lease").

18 **WHEREAS**, under the Lease, the Debtor leases real property located at 4480 South Pecos
 19 Road, Las Vegas, Nevada 89121 (the "Premises").

20 **WHEREAS** the term of the Lease was to commence on April 1, 2002 and is to expire "on
 21 the same day of the 120th successive month following the first month of the lease, said term being
 22 ten years."

23 **WHEREAS** due to the status of this bankruptcy case, the Debtor has not made a decision
 24 whether to assume or reject the lease.

25 **WHEREAS** the original time to assume or reject the Lease under 11 U.S.C. § 365(d)(4)
 26 expired on August 11, 2006.

27 **WHEREAS** because the Debtor has not made a decision whether to assume or reject the
 28 Lease due to the status of this bankruptcy case, "cause" under 11 U.S.C. § 365(d)(4) existed to
 extend the time for the Debtor to assume or reject the Lease. As a result, the Debtor and Haspinov
 stipulated and agreed that the Debtor has until November 11, 2006 to assume or reject the Lease.

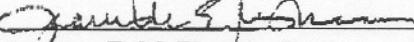
1 **WHEREAS** "cause" under § 365(d)(4) exists to extend the time further for the Debtor to
2 assume or reject the Lease due to the status of this bankruptcy case, and Haspinov has agreed to
3 extend the time to assume or reject the Lease until the later of either 60 days after entry of an order
4 confirming the Debtor's plan of reorganization or March 30, 2007.

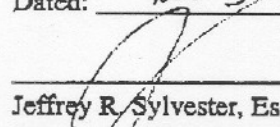
5 **NOW, THEREFORE**, in consideration of the foregoing, the Debtor and Haspinov agree
6 as follows:

- 7 1. The foregoing recitals are true and incorporated herein in full.
8 2. The deadline for the Debtor to assume or reject the Lease under 11 U.S.C. §
9 365(d)(4) is hereby extended to the later of either 60 days after entry of an order confirming the
10 Debtor's plan of reorganization or March 30, 2007.

11 Dated: November 3, 2006.

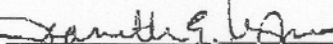
Dated: Nov 3, 2006.

12 
13 Jeanette E. McPherson, Esq.
14 Schwartz & McPherson Law Firm
15 2850 South Jones Boulevard, Suite 1
16 Las Vegas, Nevada 89146
17 Attorneys for Debtors and Debtors-In-Possession


Jeffrey R. Sylvester, Esq.
Sylvester & Polednak
7371 Prairie Falcon, #120
Las Vegas, NV 89128
Attorneys for Haspinov, LLC

16 **IT IS SO ORDERED.**

17 Submitted by:

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19 
20 Jeanette E. McPherson, Esq.
21 Schwartz & McPherson Law Firm
22 2850 South Jones Boulevard, Suite 1
23 Las Vegas, Nevada 89146

24 and

25 Annette W. Jarvis, Utah Bar No. 1649
26 RAY QUINNEY & NEBEKER P.C.
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